

REMARKS

This Amendment is submitted together with a Request for Continued Examination (RCE). In view of the filing of the RCE, Applicant requests that the finality of the Official Action of November 5, 2003 be withdrawn, and that this Amendment be entered.

The Examiner has rejected Claims 28-30 and 32-34, and has held that Claims 31 and 35 define patentable subject matter. Applicant has amended Claims 28 and 32, the two independent claims in this application. Applicant submits that all claims are allowable for the following reasons.

The Examiner has rejected the independent claims over Smith in view of Jones. The Examiner holds that Smith teaches all claimed elements except the orifice, and that Jones supplies a suggestion for adding an orifice.

Claims 28 and 32 have been amended to recite that the plate recited in the claims is of one-piece construction. The patent to Smith shows a sealing plate that is formed in several distinct pieces. See, for example, Figure 1 of Smith, in which the "sealing plate" is clearly a combination of distinct structures, such as ring 31 and locator 41. This structure would be impractical in the application of the present invention. As illustrated in the drawings of the present application, the sealing plate is a one-piece, unitary structure.

Therefore, Claims 28 and 32 both recite structure which is neither shown nor suggested by Smith, the primary reference applied by the Examiner.

The patent to Jones shows an orifice, in the context of a structure which is entirely different from that of the present invention. Furthermore, Jones clearly does not teach or suggest the other relevant structure recited in the claims. Thus, even if Jones were combined with

Smith, the result would not be what is claimed.

Applicant also calls the attention of the Examiner to dependent Claims 29 and 33. These claims recite that the seal is a flexible O-ring. The seal in Jones is not a shaped structure such as an O-ring, but instead is a packing material. The seal shown in Jones is therefore one which may be permanently deformed without consequence, as it is expected to be replaced each time the joint is taken apart. In the present invention, as claimed in Claims 29 and 33, the seal is an elastomeric structure, i.e. a flexible O-ring, which is not intended to be discarded when the fluid components are removed or changed.

Thus, Claims 29 and 33 are believed to distinguish patentably over the references for the additional reason stated above.

For the above reasons, Applicant submits that the amended claims define a patentable invention over all references of record.